

RECEIVED  
CENTRAL FAX CENTER

OCT 23 2006

REPLY UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER 2800

Attorney's Docket No. 42P17888

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application for:

**Srikanth T. Srinivasan, et al.**

Serial No. 10/727,792

Filed: December 3, 2003

For: Method and Apparatus to Reduce  
Misprediction Penalty by Exploiting Exact  
Convergence

Examiner: Benjamin P. Geib

Art Unit: 2181

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION**

In response to the Office Action mailed August 25, 2006, in connection with the above referenced patent application, Applicants respectfully request reconsideration in view of the following amendments and remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of the paper.

**BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP**

TELEPHONE: (310) 207-3800

INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025FACSIMILE: (310) 820-5988  
(310) 820-5720RECEIVED  
CENTRAL FAX CENTER**FACSIMILE COVER SHEET****OCT 23 2006**Deliver to: Geib, Benjamin P., USPTOArt Group: 2181Facsimile No.: (571) 273-8300Date: October 23, 2006From: Jonathan S. Miller, Reg. No. 48,534Our Docket No.: 42P17888Number of pages 17 including this sheet.Application No.: 10/727,792Filing Date: 12/3/2003Docket Due Date(s): 10/25/2006

Enclosed are the following documents:

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Amendment: <u>After Final</u> ( <u>13</u> pgs)   | <input type="checkbox"/> Issue Fee Transmittal                                     |
| <input type="checkbox"/> Appeal Brief ( <u>    </u> pgs)   | <input type="checkbox"/> Notice of Appeal  |
| <input type="checkbox"/> Application: <u>                                    </u>  | <input type="checkbox"/> Petition for: <u>                                    </u> |
| ( <u>    </u> pgs) w/cover & abstract)   | <input type="checkbox"/> Request for Continued Examination (RCE)                   |
| <input type="checkbox"/> Assignment & Cover Sheet ( <u>    </u> pgs)   | <input type="checkbox"/> Reply Brief ( <u>    </u> pgs)                            |
| <input checked="" type="checkbox"/> Certificate of <u>Facsimile</u>  | <input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)      |
| <input type="checkbox"/> Continued Prosecution Application (CPA)   | <input type="checkbox"/> Request to Rescind Previous Nonpublication Request        |
| <input type="checkbox"/> Declaration & POA ( <u>    </u> pgs)  | <input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter  |
| <input type="checkbox"/> Drawings: <u>    </u> sheets, <u>    </u> figures   | <input type="checkbox"/> Response to Written Opinion ( <u>    </u> pgs)            |
| <input type="checkbox"/> Extension of Time: <u>                                    </u>                                    | <input type="checkbox"/> Terminal Disclaimer                                       |
| <input checked="" type="checkbox"/> Fee Transmittal (in duplicate)   | <input type="checkbox"/> Transmittal of Publication Fee Due                        |
| <input type="checkbox"/> IDS & PTO/SB/08 ( <u>    </u> pgs)  | <input checked="" type="checkbox"/> Transmittal Letter                             |
| <input type="checkbox"/> Other <u>  </u> |  |

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

  
Annie McNally10/23/2006

Date


**Confidentiality Note:** The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.


If you do not receive all the pages, or if there is any difficulty in receiving, please call: (310) 207-3800 and ask for Annie McNally.

OCT 23 2006

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/727,792
		Filing Date	December 3, 2003
		First Named Inventor	Srikanth T. Srinivasan
		Art Unit	2181
		Examiner Name	Geib, Benjamin P.
Total Number of Pages in This Submission	16	Attorney Docket Number	42P17888

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jonathan S. Miller, Reg. No. 48,534 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 23, 2006

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Annie McNally		
Signature		Date	10/23/2006

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (nda) 10/12/2006.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

OCT 23 2006

<b>FEE TRANSMITTAL for FY 2005</b> <small>Patent fees are subject to annual revision.</small>		<i>Complete if Known</i>	
		Application Number	10/727,792
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	December 3, 2003
		First Named Inventor	Srikanth T. Srinivasan
TOTAL AMOUNT OF PAYMENT (\$)		0.00	Examiner Name Geib, Benjamin P. Art Unit 2181 Attorney Docket No. 42P17888

## METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayment of fee(s) ☒ Credit any overpayments  
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

## FEE CALCULATION

## 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
20	0	50.00	\$0.00
Independent Claims	0	200.00	\$0.00
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple Dependent claim, if not paid
1204 780	2204 396	**Reissue independent claims over original patent
1206 300	2206 150	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (1)		(3) 0.00

\*or number previously paid, if greater. For Reissues, see below

## 2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1051 130	2061 65	Surcharge - late filing fee or oath
1052 50	2062 25	Surcharge - late provisional filing fee or cover sheet
2053 130	2063 130	Non-English specification
1251 120	2251 80	Extension for reply within first month
1252 450	2252 225	Extension for reply within second month
1253 1,020	2253 510	Extension for reply within third month
1254 1,690	2254 785	Extension for reply within fourth month
1255 2,180	2255 1,080	Extension for reply within fifth month
1401 500	2401 250	Notice of Appeal
1402 500	2402 250	Filing a brief in support of an appeal
1403 1,000	2403 500	Request for oral hearing
1451 1,510	2451 1,510	Petition to institute a public use proceeding
1460 130	2460 130	Petitions to the Commissioner
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)
1808 180	1808 180	Submission of Information Disclosure Stmt
1809 780	1809 395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))
Other fee (specify)		
SUBTOTAL (2)		(3)

Fee Paid

(3)

<b>SUBMITTED BY</b>		<i>Complete if applicable</i>	
Name (Print/Type)	Jonathan S. Miller	Registration No. (Attorney/Agent)	48,534
Signature	<i>Jonathan S. Miller</i>	Telephone	(310) 207-3800
		Date	10/23/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/1) 12/15/2004.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

OCT 23 2006

**FEE TRANSMITTAL  
for FY 2005**

Patent fees are subject to annual revision.

Complete if Known

<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Application Number	10/727,792
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	December 3, 2003
		First Named Inventor	Srikanth T. Srinivasan
		Examiner Name	Geib, Benjamin P.
		Art Unit	2181
		Attorney Docket No.	42P17888

**METHOD OF PAYMENT (check all that apply)**

- ☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
- ☒ Charge any additional fee(s) or underpayment of fee(s) ☒ Credit any overpayments
- under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

**FEE CALCULATION****1. EXTRA CLAIM FEES**

1. EXTRA CLAIM FEES

Total Claims	<div></div>	20 <sup>+</sup>	Extra Claims	<div>0</div>	x	Fee from below	<div>50.00</div>	=	Fee Paid	<div>\$0.00</div>
Independent Claims	<div></div>	3 <sup>+</sup>		<div>0</div>	x		<div>200.00</div>	=		<div>\$0.00</div>
Multiple Dependent								=		

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	350	2203	180	Multiple Dependent claim, if not paid
1204	750	2204	395	**Reissue independent claims over original patent
1205	300	2205	180	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (1)		(5)	0.00
--------------	--	-----	------

\*or number previously paid, if greater, For Reissues, see below

**2. ADDITIONAL FEES**

LARGE ENTITY		SMALL ENTITY		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.
2053	130	2053	130	Non-English specification
1251	120	2251	60	Extension for reply within first month
1252	450	2252	225	Extension for reply within second month
1253	1,020	2253	510	Extension for reply within third month
1254	1,680	2254	795	Extension for reply within fourth month
1255	2,180	2255	1,080	Extension for reply within fifth month
1401	500	2401	250	Notice of Appeal
1402	500	2402	250	Filing a brief in support of an appeal
1403	1,000	2403	500	Request for oral hearing
1451	1,510	2451	1,510	Petition to institute a public use proceeding
1400	130	2400	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)
1806	180	1806	180	Submission of Information Disclosure Sheet
1809	795	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))

Other fee (applicable)

Other fee (specify)

SUBTOTAL (2)

(3)

Fee Paid

**SUBMITTED BY**

Complete (if applicable)

Name (Print/Type)	Jonathan S. Miller	Registration No. (Attorney/Agent)	48,534	Telephone	(310) 207-3800
Signature		Date	10/23/06		

Based on PTO/SB-17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/12/15/2004).  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450